



Morgan Offshore Windfarm Generation Assets Case Team  
Planning Inspectorate  
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**(Email only)**

MMO Reference: DCO/2022/00003  
Planning Inspectorate Reference: EN010136  
Identification Number: 20048964

**16 January 2025**

Dear Susan Hunt,

**Planning Act 2008, BP Alternative Energy Investments Ltd, Proposed Morgan Offshore Windfarm Generation Assets Order**

**Deadline 5 Summary**

On 30 May 2024 the MMO received notice under Section 56 of the Planning Act 2008 (the PA 2008) that the Planning Inspectorate (PINS) had accepted an application made by bp Alternative Energy Investments Ltd, (the Applicant) for determination of a development consent order (DCO) for the construction, maintenance and operation of the proposed Morgan Generation Offshore Windfarm (the DCO Application) (MMO ref: DCO/2022/00003 PINS ref: EN010136).

The DCO Application seeks authorisation for the construction, operation and maintenance of Morgan Offshore Windfarm Generation Assets (MOWF) located approximately 22 kilometres (km) from the Isle of Man Coastline and approximately 37 km from the Northwest coast of England; comprising of up to 96 wind turbine generators, all associated array area infrastructure and all associated development in an area approximately 280 square kilometres (km<sup>2</sup>).

Two Deemed Marine Licences (DML) are included in the draft DCO. One in relation to Wind Turbine Generators (WTG) and Associated Infrastructure, and one for Offshore Substation Platforms and Interconnector Cables.

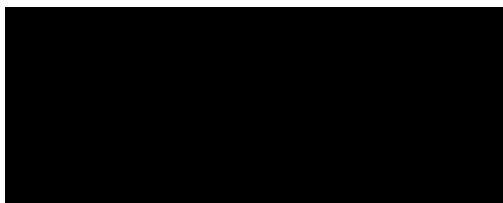
As a marine licence has been deemed within the draft DCO, the MMO is the delivery body responsible for post-consent monitoring, variation, enforcement, and revocation of provisions relating to the marine environment. As such, the MMO has an interest in ensuring that provisions drafted in a deemed marine licence enable the MMO to fulfil these obligations.

This document comprises the MMO's summary of the submission for Deadline 5.

This written representation is submitted without prejudice to any future representation the MMO may make about the DCO Application throughout the examination process. This

representation is also submitted without prejudice to any decision the MMO may make on any associated application for consent, permission, approval or any other type of authorisation submitted to the MMO either for the works in the marine area or for any other authorisation relevant to the proposed development.

Yours sincerely



Liam Woods  
Marine Licensing Case Officer

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## **1. Response to Examiner's Questions 2 (ExQ2)**

- 1.1. The MMO has provided a response to the Examiners Questions in Table 1 of the deadline submission. The MMO notes that some questions from the ExA require the Applicant's response before an MMO response can be provided. The MMO will provide responses to the Applicant's submissions at Deadline 6. The MMO is also working with the Applicant to agree as much as possible by Deadline 6.

## **2. The MMO's Updated Response to Deadline 4 Submission**

- 2.1. At Deadline 4 the MMO delayed a complete response on several issues and stated in table 3 of REP4-041 that an update will be provided at Deadline 5. The MMO has provided an updated response to these remaining points in Table 2 of the Deadline 5 submission.
- 2.2. The MMO's comments relate to Coastal processes, dredge and disposal, Chemicals and coatings, temporary threshold shift in fish, and the Outline Marine Mammal Mitigation Protocol (MMMP).
- 2.3. The MMO's position is UXO should not be within the DML but notes if the SoS is minded to include UXO clearance, the applicant has removed high order clearance and this is a welcomed decision by the Applicant and notes the Applicant has accepted the risk of the timescale for a new licence at the time if required.

## **3. The MMO's Position**

- 3.1. The MMO used this section to outline remaining concerns surrounding ecology.
- 3.2. The MMO considers that all concerns regarding impacts to benthic ecology and coastal processes have been suitably addressed by the Applicant.
- 3.3. The MMO has requested updates to the underwater sound Management strategy (UWSMS) with regards to fish species including refinement to the cod and herring spawning season.
- 3.4. The MMO also seeks to condition seasonal piling restrictions on the face of the DCO regarding cod and herring spawning seasons.
- 3.5. The MMO is supportive of the Applicant exploring secondary mitigation options (including the use of Noise Abatement Systems (NAS)) post-consent when there is time to fully investigate the application of each option with supporting documentation and evidence.
- 3.6. The Applicant has also committed to the MMO being consulted throughout the development of the final Morgan UWSMS, and that approval from MMO will be

required to discharge the consent condition related to the UWSMS. The MMO is satisfied that this commitment ensures ongoing collaboration between the MMO and the Applicant to finalise an UWN mitigation approach which is acceptable and robust and applies appropriate measures.

#### **4. Comments on the Draft DCO and DML (REP4-013)**

- 4.1. The MMO has reviewed the draft DCO and has been provided a draft DCO that will be submitted at Deadline 5 (in response to our and other interested parties Deadline 4 response) to assist in closing outstanding issues within this response and enable a more refined discussion at the Issue Specific Hearing.
- 4.2. The MMO welcomes the amendments made by the Applicant following requests from the MMO at previous deadlines but notes that there are several outstanding comments which require the Applicant's attention and action.
- 4.3. Outstanding issues regarding the draft DCO relate to Unexploded Ordnance (UXO), Transfer of the Benefit of the Order, the use of maintain and materially, the provisions of section 72, determination dates, notifications and inspections, adaptive management, provisions on variations and approvals, and the removal of the Force Majeure condition.

#### **5. Comments on the Outline Marine Mammal Mitigation Protocol (REP4-019)**

- 5.1. The MMO now understands high order has been removed from the project and welcomes this.
- 5.2. The MMO requests a minor edit to Section 1.4.4.4 of the MMMP. With respect to the ranges within which there is a potential of injury (Permanent Threshold Shift (PTS)) occurring to marine mammals as a result of geophysical investigation activities, PTS is predicted to occur out to a maximum of 254 m for harbour porpoise due to Sub Bottom Profiler (SBP) (Table 1.12), not 54 m as suggested in the document.
- 5.3. The MMO is supportive of the removal of 'fish scare charges' as the MMO does not support their use due to the lack of evidence as to their efficacy and the potential for additional harm to fish receptors. This is a positive step forwards and the MMO thanks the Applicant for making these changes.



## **6. Comments on the Outline Offshore Environmental Management Plan (REP4-018)**

- 6.1. The MMO considers that the Outline Offshore Environmental Management Plan (OOEMP) is content with the document.

## **7. Comments on the Outline Offshore Construction Method Statement (REP4-032)**

- 7.1. The MMO has reviewed the Outline Offshore Construction Method Statement (CMS) and confirms that the CMS is content with the document.

## **8. Comments on Offshore In-Principle Monitoring Plan (REP2-013)**

- 8.1. The MMO has engaged a range of stakeholders, including SNCB's, industry, and Renewable UK to identify standards, and are currently finalising a list of agreed standards across 6 receptors: marine mammals, underwater noise, ornithology, fish and shellfish, benthic and geophysical monitoring.
- 8.2. We request that the IPMP be updated to reference this project, where any of these 6 receptors are applicable. The project can be referenced as (MMO Standardisation of Offshore Wind Post-Consent Monitoring, forthcoming). We also request that the IPMP include a general commitment to ensuring that any standards or best practice adhered to during monitoring, is outlined clearly within the relevant monitoring reports.
- 8.3. The MMO will engage with the Applicant to ensure that this reference is included, and agreement can be made prior to Deadline 6.





## 9. Major Outstanding Issues

9.1. As the MMO will not be attending any Issue Specific Hearings, the MMO has included the major outstanding issues below. Please review the information regarding these issues in the DL5 sections:

- Transfer of Benefit
- Force Majeure
- Decommissioning
- Chemicals
- Piling Restrictions
- UWSMS
- UXO

